

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE

UNITED STATES OF AMERICA,

v.

FADUMO MOHAMED FARAH.

Case No. 3:10-cr-00260-8  
William J. Haynes  
Federal District Judge

**MOTION TO DISMISS COUNTS 1 AND 2 OF THE INDICTMENT**

Comes now the accused, Faduma Farah, by and through her counsel, Luke A. Evans, and moves this Honorable Court to dismiss Counts 1 and 2 of the Indictment. In support thereof the accused states as follows:

1. The Defendant was originally charged in Counts 1, 2, 11 and 23 of the Indictment. Count 23 was previously severed from Counts 1, 2, and 11 upon motion of the Defendant. Count 11 was dismissed upon motion of the Government.
2. Count 11 alleged that the Defendant trafficked Jane Doe 1. Counts 1 and 2 identified the same facts alleged in Count 11 as the overt acts to support the allegations of conspiracy. The Government has represented to Counsel that they no longer intend to call Jane Doe 1 to testify in this matter. Instead, the Government intends to carry its burden against Faduma Farah as to Counts 1 and 2 with the testimony of Jane Doe 5.
3. The Government contends in the indictment that the conspiracy began around January of 2000. Jane Doe 5 states in her Grand Jury testimony that Faleebo